



**City Council  
Pre-Agenda Meeting  
Tuesday, March 08 2005  
4:00 P.M.**

**The regularly scheduled Pre-Agenda Meeting of the Trinity City Council was held on Tuesday, March 08, 2005 at Trinity City Hall.**

**MEMBERS PRESENT:** Mayor, Jimmy Shore; Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, Edith Reddick, and Miles Talbert.

**MEMBERS ABSENT:**

**OTHERS PRESENT:** City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk, Debbie Hinson; City Engineer Randy McNeill; Members of the Press; and other interested parties.

**ITEM 1. Welcome**

Mayor Shore called the March 08, 2005 Regular Pre-Agenda Meeting of the Trinity City Council to order at 4:00 pm and welcomed everyone present.

**ITEM II. Invocation**

The invocation was given by Council member Lambeth.

**ITEM III. Proposed items for the March 15, 2005 Regular Meeting of the Trinity City Council**

**Review and Approval of Minutes**

1. **February 8, 2005 Pre-agenda Meeting**
2. **February 15, 2005 Regular City Council Meeting**
3. **February 17, 2005 Retreat (continuation from Jan. 29, 2005)**

Mayor Shore called for discussion and or motion to add these items to the March 15, 2005 Regular Meeting Agenda.

*Council member Reddick made a motion to add these items to the March 15, 2005 Regular Meeting Agenda. Council member Labonte seconded the motion. The motion and second was approved unanimously by all Council members present.*

Mayor Shore opened the following items and called for discussion and or action to add these items to the March 15, 2005 Regularly Scheduled City Council Meeting.

**Proclamations/Recognition**

4. **Recognition of Trinity High School Carpentry Classes Levels II and III for installation of railing at City Hall**
5. **Proclamation Declaring March 2005 American Red Cross Month**
6. **Recognition of J.R. Ewings for long-time service on Planning & Zoning Board**

*Council member Lambeth made a motion to add these items to the March 15, 2005 Regular Meeting Agenda. Council member Bridges seconded the motion. The motion and second was approved unanimously by all Council members present.*

Mayor Shore opened the following item and called for discussion and or action to add this item to the March 15, 2005 Regularly Scheduled City Council Meeting.

### **Reports**

7. **Annual report and funding request for Randolph County Senior Adult Association (Candie Rudzinski, Executive Director)**

*Council member Meredith made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Brown seconded the motion. The motion and second was approved unanimously by all Council members present.*

Mayor Shore opened the following item and called for discussion and or action to add this to the March 15, 2005 Regularly Scheduled City Council Meeting.

8. **Annual report and funding request for Archdale-Trinity Chamber of Commerce (Beverly Nelson, President)**

*Council member Meredith made a motion to add these items to the March 15, 2005 Regular Meeting Agenda. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.*

### **Public Hearings**

Mayor Shore opened this item for discussion.

9. **Consider request from Blue Ridge Development Services, LLC for text amendments to Zoning Ordinance that would allow increased density for multifamily development in the Trin-Thom Development Zoning District.**

Manager Bailie discussed the sketch plan given to Council that illustrated in general what Blue Ridge would like to do along with the their specific request included in the Agenda Packet that the Zoning be changed to accommodate their proposal of 11 apartment buildings for a total of 264 apartments. It will be Council's decision whether to grant the density request. We have separated the request for the Special Use Permit until this issue is settled. Therefore, this request will be strictly whether the Council wishes to grant their request for increased density for this property.

Mayor Shore discussed his feelings concerning the traffic issues, area location, as well as safety issues and the need for increased police protection that is usually associated with apartment complexes. Mayor Shore stated that he did not feel Trinity was ready for this type of development.

Manager Bailie provided Council with a memo that addressed the impact of the proposed apartment complex.

Council members discussed the number of times this property had been rezoned and prior conversation concerning indications that high end townhomes were planned for this area when multi-family zoning was requested. Council members discussed telephone calls they had received in opposition to this development.

Council member Brown discussed the need for commercial growth and the need to protect areas for this type of growth in close proximity to Interstate 85.

Council members, Manager Bailie, and Mr. Stumb discussed the zoning for this property and the fact that even if Council denied this increased density, this area was zoned for Multi-Family and apartments are allowed in this portion of the Trin-Thom Zoning through Special Use Permit.

Mr. Stumb discussed items that could allow Council to deny any request for apartments. If there is evidence that the apartments will devalue the property around them, increase traffic to the point that it would be harmful to the area the Council could deny the Special Use Request for apartments.

Attorney Wilhoit advised Council that it must be evidenced that there is no proven health and safety issues, that the development would not substantially injure adjoining property owners, it must be in compliance with land use plans. The four Findings of Facts are listed in the Ordinance. The Special Use Hearing is considered a Quasi-Judicial hearing and all speaking must be sworn prior to presenting their facts pertaining to the property.

Council members discussed water runoff from a development with this type of density that could impact residents of Kingston Court, as well as the liability issue of a retention pond. Council also discussed the Fire Department that

would be servicing this area and the fact that this Fire Department could not service 3 story buildings because it did not have a ladder truck.

Also discussed was the appearance of apartments 10 to 15 years from building date. Council member Bridges discussed what facts would be considered by Council when looking at this request. The decision will be based on whether the developer is meeting the setbacks and other requirements. Manager Bailie advised Council that anything else stated by the developer during the Special Use Hearing pertaining to what they planned to do would become a part of the conditions and requirements of the Special Use Permit.

Council discussed their feelings concerning the increased density and the increased responsibility for the city to provide police protection, fire protection, and traffic control.

***Council member Bridges made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Ewings seconded the motion. The motion and second was approved unanimously by all Council members present.***

***After the motion, and further discussion it was the consensus of Council that staff review the section of the Ordinance addressing apartments and townhomes concerning their appearance and to make changes needed that could be incorporated into the Ordinance.***

**10. Consider amendments to Zoning and Watershed ordinances to create new zoning district, Residential-12 (R-12), which would allow a density of three single family units per acre.**

After Mayor Shore opened this item, Manager Bailie advised Council that she had received a telephone call this morning from a developer who is ready to pursue 12,000 square foot lots if Council approves R-12 Zoning. This property is the 47 acres located on Highway 62 adjacent to Colonial Heights. Our current land use plan calls for commercial development on this site. As per information received in your agenda packet, John Maddocks has proposed an alternative to R-12 Zoning. This is an aggregate type of zoning. He has recommended that this item be tabled in order to give us time to consider his proposal.

Staff would like to table this until the land use plan is in place, but we are also sensitive to the desires of the Council and the developers. We need and want development. For this reason the staff recommendation was to approve R-12 Zoning and to **include** "open space" requirements in that zoning. The Planning/Zoning recommendation was to approve R-12 Zoning with **no** "open space" requirements. Manager Bailie opened the item to questions from Council.

Council members discussed that this request was to approve R-12 Zoning outside the Trin-Thom Development in an area that is projected to develop commercially per the current land use map. Council member Brown discussed the need for the land use map that will be developed with help from the Piedmont Triad Council of Governments. We need something in place that clarifies the zoning to all of us. There was continued discussion concerning the property discussed by Manager Bailie earlier. Manager Bailie advised Council that the current zoning on this property is mostly residential agriculture; however the long range map classified this property as commercial property. Any one who wishes to develop R-12 will have to request a rezoning from Council.

Council members and Mr. Stumb discussed Rezoning Requests. Mr. Stumb advised Council members that the Land Use Plan should be taken into consideration when considering rezoning, as well as the location of the property along the transportation corridor and the appropriate use for the property. There are no criteria, however you can not just decide yes to one person and no to another. Council members discussed what problems this might present if allowed for one developer it would be hard to deny this request to another developer unless we have the land use map.

Council members discussed the possibility of accelerating completion of the land use plan. Also discussed was the current land use plan that Trinity had. Manager Bailie advised Council members that the current plan being used did not have degrees of residential development or density. It illustrates where commercial or residential development should be but it is not broken down into the classification of whether the property should be R-40, R-20, R-12, etc. Council member Meredith discussed the importance of having this option available to developers. This request will have to come before Council and we can decide at that time if this type of development is what we want in the area that is proposed. This will give us the opportunity to look at the request and consider all items involved prior to issuing a rezoning. Council member Brown discussed the difference in value for R-20 and R-12 property.. The difference between the two (2) will result in an approximate increase of 79% more for the developer in R-12 above R-20 development. If R-12 is approved then the developer should be willing to give something in regards to open space. Council member Brown discussed his feelings on fee in lieu and stated that he did not support this, however he thought the requirement of open space could be discussed among Council and some type of open space could be agreed upon for development of R-12 Zoning.

There was further discussion concerning the need for commercial development and how to accomplish this. Council member Ewings discussed her concerns for commercial and residential growth. These two (2) work together. We as Council need to decide where we want to start. If we start with commercial and it comes in where will they live? If residential development is where we start, where will they find work? How do these things incorporate into Trinity and make money and do what is best for the City. Council agreed that development must be a mixture of each in order to be beneficial to the City.

Council discussed the pro's and con's of the recommendation from staff to **include open space in R-12 development** and the recommendation from the Planning/Zoning Board **not to include open space in the R-12 development** and how this could be incorporated into R-12 Zoning.

After discussion among Council members concerning the need to wait for the new long range plan or use the existing long range plan to consider R-12 Zoning requests, Council member Meredith asked Manager Bailie her thoughts on the best way to implement R-12 until the new land use plan was completed.

Manager Bailie advised Council members she felt that the requests would need to be based on the existing land use plan as well as consideration of where sewer has been installed. Manager Bailie asked Council after hearing their conversations, if they should make a decision based on a developer's desire or whether R-12 is good for Trinity at this time. It was the consensus of Council members that it was their desire to do what was in the best interest of Trinity. Manager Bailie discussed the problems of denying future development of R-12 along the 62 corridor if this property were allowed to be zoned R-12. The current projection for this property on our current land use map is commercial

***Council member Talbert made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Labonte seconded the motion. The motion and second was approved 7 to 1 with Council member Bridges voting Nay.***

**11. Consider amendments to the Zoning and Subdivision ordinances regarding open/recreational space standards for new development.**

After Mayor Shore opened this item, Manager Bailie reviewed prior action taken by Council concerning open space requirements in Multi-Family and Mixed Residential Uses. Staff is recommending that you require open space with R-12 development if approved by Council. The Planning/Zoning Board has voted to eliminate all open space requirements in all districts.

Council member Labonte discussed what the open space would be used for and if the developer would be allowed to pay a fee in lieu of open space. He stated that he was not against open spaces but felt that Trinity was not in a position at this time for the city to take over open spaces. He suggested that the city allow the developer to pay a fee in lieu and to dedicate the money collected to a special fund to be used towards development of a park on property currently owned by the City. He also stated that he felt the city needed to direct an effort to help the YMCA. The greenways will come sometime down the road.

Council member Ewings agreed with Council member Labonte. There was further discussion among Council members concerning their desire to consolidate monies collected into a fund to be used to develop a park on city property and not to have mini parks throughout the City. Council members discussed how the fee would be determined and how the current fee was proposed. Council members discussed how the 1/35 was determined. Council member Lambeth stated that Archdale used 1/40, Thomasville 1/35, Stallings 1/35, Franklin County 1/57. Council members discussed the amount to be charged and the importance of basing the fee so as not to deter development in Trinity.

Council members and Manager Bailie discussed the possibility of using a portion of this money to be given to the YMCA as part of Trinity's support for this program for their community. Manager Bailie advised members that the General Statutes dictated this money (fee in lieu) must be designated to a Parks and Recreation Fund. Council could vote to match whatever the amount collected in the fund be donated to the YMCA. The money that we receive from the developer needs to stay in the city's parks and recreation fund. I do not know if we can take that money and donate it to the YMCA. Attorney Wilhoit advised Council members that if an agreement was made between the City and the YMCA to provide some recreational services for the city then these funds might be able to be designated to them because the agreement would indicate that the YMCA was an independent contractor for the city.

***Council member Talbert made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Ewings seconded the motion. The motion and second was approved unanimously by all Council members present.***

**Unfinished Business**

None

## **New Business**

### **12. Approval of engineering firm or individual(s) to provide professional services in the areas of site plan and subdivision review and inspecting/monitoring work of contractors.**

Mayor Shore opened this item and asked Manager Bailie to brief Council on this item. Manager Bailie advised Council members that she had sent out RFQ's approximately to (2) weeks ago to engineering firms or individuals to provide technical review of site plans. They would take a look at the site plans for the streets, utilities, sanitation, drainage, etc. and make recommendation to the city. I am looking for someone who can provide this type of staff expertise in these areas as well as someone to monitor and inspect the contractors work once the site plan has been approved and construction is underway. We have received two (2) or three (3) firm proposals and I would like to be able to bring a recommendation to you for your approval at the March 15, 2005 meeting.

Council discussed the need for this service and felt this would be a good idea.

*Council member Brown made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.*

### **13. Guidelines for approving private sewer lines to individual homes**

After Mayor Shore opened this item, Manager Bailie advised Council this had been discussed several times by the Utilities Committee. We have received a request from an individual that lives just outside the Colonial Heights project who would like to connect to our line.

Based on discussions held at the last Utilities Committee Meeting the Committee has come up with a recommendation and it is included in your agenda packet. Staff has added a couple more to their list. Our request to you is to consider and hopefully approve these guidelines.

Council discussed the recommendations included in the agenda and how this would establish guidelines for allowing persons to hook into the sewer. Mr. McNeill explained to Council members that this type of hook up would be considered a plumbing line extension for private service from your sewer system. It will be for a hardship situation when the existing homeowner has septic tank problems. It is not to foster development or to require the homeowner that has a problem to finance a public sewer extension. This is to try to find a solution for persons who have a problem that the scope of the project won't allow sewer mains to be installed to their property.

*After further discussion, Council member Brown made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Labonte seconded the motion. The motion and second was approved unanimously by all Council members present.*

### **14. Deadline for Colonial Heights residents to pay discounted sewer tap fee**

Manager Bailie advised Council members this item was to identify and set a date for tap fees to be paid rather than using the current policy which is to pay before construction has crossed a person's property. By setting a date it will allow staff to mail a letter advising property owners of the deadline to pay tap fees to get a discounted rate and that after this date the fee will increase.

Manager Bailie advised Council it was her recommendation that the deadline to pay the tap fees was May 16, 2005 for owners of undeveloped property and November 01, 2005 for homeowners. If Council approves this I will mail out the letters next week to allow sufficient time for notification.

*Council member Lambeth made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.*

### **15. Contract with Guil-Rand Fire Protective Assn., Inc. for fire inspections**

Manager Bailie advised Council members this was the same as last year with no changes.

*Council member Brown made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Reddick seconded the motion. The motion and second was approved unanimously by all Council members present.*

**16. Appointment/Reappointment of members to Planning & Zoning Board/Board of Adjustment**

Manager Bailie advised Council that the two (2) current members had each requested reappointment. These are the only two (2) applications that have been submitted for appointment to this Board. We have not received any applications for the Utilities Committee although I did receive one (1) after the deadline. It was Manager Bailie's recommendation to hold the deadline for the Utilities Committee open for another month. The vacancy on the Utilities Committee is in Ward 3.

*Council member Brown made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.*

*After the motion and second, it was the consensus of Council that Manager Bailie extend the deadline for receiving applications for the Utilities Committee for one (1) month.*

**17. Appointment of Council Liaisons to Planning & Zoning Board/Board of Adjustment and Utilities Committee**

Mayor Shore opened this item and made the following appointments;

**Planning/Zoning:** Miles Talbert, Council Liaison  
Karen Bridges, Backup to Miles for Council Liaison

**Utilities Committee:** Dwight Meredith, Liaison  
Barry Lambeth, Backup for Dwight for Council Liaison

All others remain the same.

**18. Budget amendments**

Manager Bailie discussed the proposed Budget Amendment # 9 distributed to Council. Most of these items are GASB related some are not. The explanations for each item are included at the bottom of the page.

*Council member Talbert made a motion to add this item to the March 15, 2005 Regular Meeting Agenda. Council member Brown seconded the motion. The motion and second was approved unanimously by all Council members present.*

**ITEM IV. Business from Mayor and Council**

Mayor Shore opened this item and discussed the following:

**Sign at Church**

Mayor Shore advised Council members that he had spoken with Tony Sheppard regarding the sign located at the church that was discussed previously by Council. This sign became the property of the church and I have contacted the preacher of the church regarding this sign. The preacher advised me that within the next 3 months the church was planning to begin advertising their church on this sign.

**Council members**

Council member Meredith discussed the need for Council members to review the information regarding the open space requirements and the proposed R-12 Zoning before the scheduled Council meeting and to come up with what you would like to see take place regarding these two (2) items. We need to come up with some ideas that will be agreeable with all members of Council.

Council discussed the amounts of open space requirement voted on at a previous meeting and the need to decide if what was used is the method that Trinity would like to use. Council asked what procedure was used in High Point. Manager Bailie advised members that if the property in question had been identified as future park land that High Point required the developer to deed the property over to the city. The cities have power of eminent domain for park land.

**ITEM V. Business from City Manager**

Mayor Shore called for business from Manager Bailie.

Manager Bailie discussed the following items:

**League Letter**

Manager Bailie discussed the letter given out to Council received from the League of Municipalities. The League has asked the municipalities in the state to draft a letter to our representatives in congress and senators in opposition to the President's proposal to eliminate the CDBG Program. If Council agrees, this letter would come from the Mayor to Senator Doyle and Congressman Coble, and Burr.

*Council member Ewings made a motion to recommend that Mayor Shore send the letter. Council member Lambeth seconded the motion. The motion and second was approved unanimously by all Council members present.*

**Water Pipe**

The water pipe for Highway 62 has been ordered.

**ITEM VI. Closed session Pursuant to NCGS 143-318.11a (3) and (5)**

Mayor Shore called for a motion to go into Closed Session pursuant to NCGS 143-188.11a (3) and (5).

*Council member Lambeth made a motion to go into Closed Session pursuant to NCGS 143-188.11a (3) and (5). Council member Talbert seconded the motion. The motion and second was approved unanimously by all Council members present.*

*Council member Ewings made a motion to return to Open Session. The motion was seconded by Council member Talbert and approved unanimously by all Council members present.*

*After returning to Open Session, Council member Ewings made a motion to allow the City Manager to further negotiations until the end of month (March) with Mr. Honbarrier for a sewer easement. If the City fails to obtain the easement by the end of the month then the City Attorney is authorized to begin the process of condemnation for eminent domain. Council member Lambeth seconded the motion. The motion and second was approved unanimously by all Council members present.*

**ITEM VIII. Adjournment**

With no other business to discuss, Mayor Shore called for a motion to adjourn the March 08, 2005 Pre-Agenda Meeting.

*Council member Ewings made a motion to adjourn the March 08, 2005 Pre-Agenda Meeting. Council member Reddick seconded the motion. The motion and second was approved unanimously by all Council members present.*

**These minutes were approved at the April 19, 2005 Regular Meeting of the Trinity City Council. Council member Talbert made a motion to approve as written, seconded by Council member Ewings and approved unanimously by all Council members present.**

\_\_\_\_\_  
James D. Shore., Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Debbie Hinson, City Clerk

\_\_\_\_\_  
Date